

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

SCOTTSDALE INDEMNITY COMPANY and
NATIONAL CASUALTY COMPANY,

Plaintiffs,

v.

CITY OF VENICE, VENICE PUBLIC LIBRARY,
MATT GARRETT, and DEONYIA JOHNSON,

Defendants.

Case No. 22-cv-936-JPG

MEMORANDUM AND ORDER

This matter comes before the Court on the plaintiffs’ motion for default judgment against defendants City of Venice (“City”), Matt Garrett, and Deonyia Johnson (Doc. 37). The plaintiffs filed this lawsuit in May 2022 seeking a declaration that they owe no obligation to defend and/or indemnify Matt Garrett under insurance policies they issued to the City and/or the Venice Public Library (“Library”) in connection with an underlying lawsuit by Johnson.

Johnson waived service on May 6, 2022 (Docs. 14 & 16), and the City was served on June 8, 2022 (Doc. 21). Neither responded in a timely manner, so the Clerk of Court entered default against them on October 6, 2022 (Doc. 29). Garrett was served on November 1, 2022 (Doc. 32), and when he did not timely respond, the Clerk of Court entered his default on December 12, 2022 (Doc. 34). The plaintiffs now ask for entry of default judgment (Doc. 37).

The plaintiffs having satisfied the requirements of Federal Rule of Civil Procedure 55(b)(2) and Local Rule 55.1 for entry of default judgment against the City, Garrett, and Johnson, the Court **GRANTS** the motion (Doc. 37) and **DIRECTS** the Clerk of Court to enter default judgment in favor of the plaintiffs and against defendants City, Garrett, and Johnson at the close of the case, including the following declarations:

Plaintiff Scottsdale Indemnity Company owes no duty to defend or indemnify defendant Matt Garrett under Policy No. PEI0006507, issued to the City of Venice and the Venice Public Library, in connection with the lawsuit *Deonyia Johnson v. Matt Garrett*, No. 3:18-cv-01057-JPG, in the United States District Court for the Southern District of Illinois; and

Plaintiff National Casualty Company owes no duty to defend or indemnify defendant Matt Garrett under Commercial Liability Umbrella Policy No. UMO0034039, issued to the City of Venice, in connection with the lawsuit *Deonyia Johnson v. Matt Garrett*, No. 3:18-cv-01057-JPG, in the United States District Court for the Southern District of Illinois

Judgment will enter following disposition of the claims against the Library.

IT IS SO ORDERED.

DATED: February 27, 2023

s/ J. Phil Gilbert

**J. PHIL GILBERT
DISTRICT JUDGE**